

Docket No.: 57454-962

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Re Application of

Hideto HIDAKA

Serial No.: 10/622,473

Filed: July 21, 2003

For: THIN FILM MAGNETIC MEMORY DEVICE WITH MEMORY CELLS INCLUDING  
A TUNNEL MAGNETIC RESISTIVE ELEMENT

: Customer Number: 20277

: Confirmation Number:

: Group Art Unit:

: Examiner: Unknown

**REQUEST FOR OFFICIAL FILING RECEIPT**

Mail Stop OFR  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

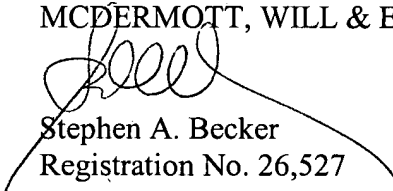
Sir:

The above-referenced patent application was filed in the U.S. Patent and Trademark Office on July 21, 2003, as evidenced by the attached copies of the return receipt postcard and transmittal letter. To date, the undersigned has not received the Official Filing Receipt regarding this application.

It is respectfully requested that the undersigned be furnished with an Official Filing Receipt as soon as possible.

Respectfully submitted,

MCDERMOTT, WILL & EMERY

  
Stephen A. Becker  
Registration No. 26,527

600 13<sup>th</sup> Street, N.W.  
Washington, DC 20005-3096  
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**Date: January 22, 2004**



REQUEST FORM FOR  
APPLICATION UNDER 37 CFR 1.53(b)

DOCKET NUMBER: 57454-962

Prior Application:

Art Unit: 2824

Examiner: Nguyen

BOX

Mail Stop Patent Application

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

This is a Request for filing a **Divisional** application under 37 CFR 1.53(b) of pending prior application

Serial No. **09/986,865**, filed on **November 13, 2001**, entitled **THIN FILM MAGNETIC MEMORY DEVICE**

**WITH MEMORY CELLS INCLUDING A TUNNEL MAGNETIC RESISTIVE ELEMENT**, by the following

named inventor: Hideto HIDAKA.

1. ☒ I hereby state that the enclosed application contains no new matter.
2. Oath or Declaration
  - a. ☐ Newly executed (original or copy)
  - b. ☒ Copy from a prior application (37 CFR 1.63(d))
    - i. ☐ Deletion of inventor(s)  
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
3. ☒ Incorporation By Reference (useable if Box 2b is checked)  
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 2b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
4. ☐ Preliminary Amendment is enclosed.
5. ☒ An Information Disclosure Statement and PTO1449 Form are submitted herewith.
6. ☒ Cancel claims 1-12.

7. The filing fee is calculated on the basis of the claims existing in the prior application as amended at 4 and 6 above:

	NO. OF CLAIMS		EXTRA CLAIMS	RATE	AMOUNT
Total Claims	3	-20	0	\$18.00 =	\$0.00
Independent Claims	1	-3	0	\$84.00 =	\$0.00
Basic Application Fee					\$750.00
If multiple dependent claims are presented, add \$0.00					\$0.00
Total Application Fee					\$750.00
Subtract ½ if small entity					\$0.00
<b>TOTAL APPLICATION FEE DUE</b>					<b>\$750.00</b>
<b>AMOUNT TO BE CHARGED TO DEPOSIT ACCOUNT NO. 500417</b>					<b>\$750.00</b>

- 7a. ☐ Enclosed is a Verified Statement to establish small entity status under 37 CFR 1.9 and 37 CFR 1.27.
- 7b. ☐ A verified Statement to establish small entity status under 37 CFR 1.9 and 37 CFR 1.27 was filed in prior application and such status is still proper and desired.
- 8a. ☒ **PLEASE CHARGE DEPOSIT ACCOUNT 500417 in the amount of \$750.00**
- 8b. ☒ The Commissioner is hereby authorized to charge fees under 37 CFR 1.16 and 1.17 which may be required, including any extension of time fees to maintain the pendency of the parent application Serial No. 09/986,865 or credit any overpayment to Deposit Account No. 500417.
9. ☒ Amend the specification by inserting before the first line the sentence:  
  
--This application is a **divisional** of Application Serial No. 09/986,865 filed **November 13, 2001**--
10. ☒ Priority of Application Serial No. 2001-196417(P) filed on **June 28, 2001**, in **Japan** is claimed under 35 USC 119. The certified priority document was filed in Serial No. 09/986,865 on **November 13, 2001**.
11. ☒ The prior application is assigned of record to  
  
**MITSUBISHI DENKI KABUSHIKI KAISHA**  
Tokyo, JAPAN
12. ☒ The power of attorney in the prior application is to:  
  
McDermott, Will & Emery
13. ☐ Also enclosed:

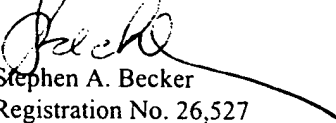
14. ☐ A petition, fee and response has been filed to extend the term in the pending prior application until .

Address all future communications to: (May only be completed by applicant, or attorney or agent of record)

McDermott, Will & Emery  
600 13th Street, N.W.  
Washington, DC 20005-3096  
**CUSTOMER NUMBER 20277**

Respectfully submitted,

MCDERMOTT, WILL & EMERY

  
Stephen A. Becker  
Registration No. 26,527

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Washington, DC 20005-3096  
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Facsimile: (202) 756-8087  
**Date: July 21, 2003**



THIN FILM MAGNETIC MEMORY DEVICE WITH MEMORY CELLS INCLUDING A TUNNEL  
Docket No. 57454-962

Title: MAGNETIC RESISTIVE ELEMENT

Date Sent: 7/21/2003 ☒ Hand Carried ☐ Fax ☐ Electronic ☐ Cert. of Mailing ☐ Express Mail No.

☒ Transmittal Letter ☐ New Patent App ☐ Utility ☐ Design ☐ Cont. ☐ CIP ☒ Div. ☐ PCT ☐ RCE ☐ Prov

Other: 31 pages of Specification

6 pages of Claims

1 pages of Abstract

13 pages of Formal/Informal Drawings

☐ Small Entity ☐ Large Entity

☒ Declaration/Power of Attorney

☒ Recordation of Assignment/Security Agreement

☒ Information Disclosure Statement

1 Form PTO 1449

0 copies of cited references

☐ Preliminary Amendment

☐ Response to Missing Parts Notice

☐ Resp. to Notice to Correct App. Papers

☐ Certified Copy of Priority Doc.

☐ Claim for Convention Priority

☐ Response/Amendment to Office Action of

☐ Request for month Extension of Time

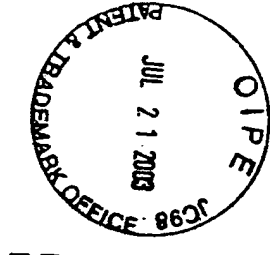
Check for \$ ☒ Charge Deposit Acct. 500417\$ 750.00

Atty. Init. SAB

Tkpr. # 4233

Secy. or Pl. BPatrick

CMS Descrp.: (1) 750.00



☐ Letter submitting pages of drawings

☐ Req. for Approval of Drawing Amendments

☐ Req. for Oral Hearing

☐ Not. of Appeal ☐ Appeal Brief ☐ Reply Brief

☐ Rule 312 Amendment/Letter

☐ Req. for Acknowledgement of Cited Art

☐ Issue Fee

☐ Publication Fee

☐ Req. for Certificate of Correction

☐ Maintenance Fee for years after grant

☐ Fee Address Indication Form

☐ Terminal Disclaimer

☐ Petition to Commissioner

☐ Status Inquiry

☐ Other

THE PATENT AND TRADEMARK OFFICE DATE STAMPED HEREON IS ACKNOWLEDGEMENT THAT THE ITEMS CHECKED ABOVE, WERE RECEIVED BY THE PTO ON THE DATE STAMPED.